



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
2715 Post Road  
Stevens Point, Wisconsin 54481  
TTY: Contact Through Relay  
**Jim Doyle, Governor**  
**Richard J. Leinenkugel, Secretary**

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 59  
**Commerce #:** 54771-9427-03-A  
**BRRTS #:** 03-10-185667  
**Site Name:** Ace Oil Co Station & Bulk Plant  
**Site Address:** 503 W Stanley St, Thorp, 54771  
**Site Manager:** Gina Keenan  
**Address:** 1300 W Clairmont Ave  
**City, State Zip:** Eau Claire, WI 54702-4001  
**Phone:** 715-839-3765  
**e-mail:** gina.keenan@wisconsin.gov  
**Bid Manager:** Tim Zeichert  
**Address:** 2715 Post Road  
**City, State Zip:** Stevens Point, Wisconsin 54481  
**Phone:** (715) 345-5307  
**e-mail:** Timothy.Zeichert@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>February 16, 2009</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>March 02, 2009, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>March 20, 2009</b>
<b>Bid-End Date and Time:</b>	<b>April 03, 2009, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703**  
**Phone: (715) 836-0049 Fax: (715) 836-7704**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

Ace Oil station and Bulk Plant is located at 503 West Stanley Street, Thorp, Wisconsin. The site investigation at the site was conducted to investigate potential releases from the underground storage tank (UST) and above ground storage tank (AST) systems. Five UST's were removed from the property on June 3, 1999. The AST systems are still in place at the site. The property is 0.5 acres in area.

The site investigation of the property included the advancement of twenty-eight geoprobes, drilling of six test borings, collection of twelve soil samples from the former UST excavations, and the installation and sampling of eleven monitoring wells and three piezometers. Based on the results of soil and groundwater sampling associated with the investigation, free-product was discovered in monitoring wells AMW-1, AMW-3, AMW-4 and AMW-6. Three municipal wells are located less than 600 feet away in the down-gradient direction.

Depth to groundwater is approximately fourteen to seventeen feet below ground surface (bgs). Groundwater flow is to the southeast, and is essentially flat. Soils at the site consist of silts or sandy clays down to ten feet. Below ten feet sandy soils are present to 32 feet below ground surface. At 32 feet bgs, bedrock was encountered in the piezometers drilled at the site.

Soil contamination in association with all of the former underground storage tanks, the aboveground storage tanks, dispensers and associated piping. Soil contamination has been sufficiently defined at the site vertically and horizontally.

The most recent sampling has found free product in monitoring wells AMW-1 and AMW-4. During the last sampling round, the depth of free product ranged from less than 0.25 inches to six inches in these wells.

The degree of groundwater contamination is not defined in the down-gradient direction. Both monitoring wells AMW-10/10R and AMW-11, the farthest down-gradient wells, had contamination in the groundwater samples at levels above NR 140 enforcement standards (ES) during the last sampling round, and piezometer APZ-3, has ES exceedences.

### **Minimum Remedial Requirements**

Excavate and landfill/treat approximately 3900 cubic yards of contaminated soils. The soil to be excavated can be broken down into four areas which are designated on Figure #6. Area #1 is estimated to be 50' by 50' by 14' deep; Area #2 is estimated to be 50' by 50' by 14' deep; Area #3 is estimated to be 40' by 40' by 14' deep; and Area #4 is estimated to be 30' by 30' by 14' deep. In reality, fourteen feet of depth may not be achievable, and it is likely that these hot spot excavations will run into one another. Upon completion of excavation activities, all areas shall be brought back to grade using clean fill.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

Complete soil confirmation sampling of the excavation in compliance with the Department of Natural Resources sampling protocol. Soil samples need to be analyzed for PVOC's and naphthalene. Appropriate soil sampling in the top four feet of the excavation will be necessary to confirm the removal of soil that exceeds the NR 746.06 Table 2 direct contact numbers.

Install a monitor well/piezometer well nest. See Figure #6 for approximate location. The depth of the piezometer should be approximately forty feet in depth and the monitoring wells should be approximately fifteen feet in depth.

Install replacement monitoring wells, as appropriate, depending upon the monitoring wells destroyed during the soil source removal. All monitoring wells located within the excavation must be replaced. Conservatively, a maximum of five monitoring wells may have to be replaced. The locations of the replacement monitoring wells will be agreed upon by the environmental consultant, the DNR and COMM project manager's after the soil excavation is completed.

After the completion of the soil source removal, installation of the well nest and replacement monitoring wells, conduct groundwater monitoring of the new monitoring well network quarterly for one year. The first round of groundwater samples will be collected three months after the soil excavation. Groundwater samples will be analyzed using laboratory method EPA 8260.

Once the last round of laboratory results of the final groundwater sampling round are received, a report detailing the work conducted and the data collected at the site and recommendations for further work at the site (or closure, if appropriate) must be submitted to the Department of Natural Resources and Department of Commerce.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this

bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.

9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE – BID ROUND 59**

**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Ace Oil Co Station & Bulk Plant**

**Commerce #: 54771-9427-03-A**

**BRRTS #: 03-10-185667**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

**BID RESPONSE – BID ROUND 59****(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Ace Oil Co Station & Bulk Plant****Commerce #: 54771-9427-03-A****BRRTS #: 03-10-185667****Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Excavation of contaminated soils	\$
2	Disposal/treatment of contaminated soils excavated	\$
3	Soil for fill (per ton)	\$
4	Confirmation soil sample analysis	\$
5	Installation and development of piezometer	\$
6	Installation and development of monitoring wells	\$
7	Quarterly groundwater monitoring for one year	\$
8	Detailed reporting of the work conducted for this scope of work, including updated Figures and Tables (Tables shall include historical data)	\$
9	PECFA Claim Preparation	\$
10	<b>Total Bid Amount</b>	<b>\$</b>
<b>CONTINGENCY COSTS</b> <b>(Will be Approved and Added to the Bid Cap as Needed)</b>		
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$